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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,930	09/19/2001	Tsuyoshi Hiramatsu	3273-0146P	3012
2292	7590	10/25/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			CHANG, VICTOR S	
			ART UNIT	PAPER NUMBER
			1771	
DATE MAILED: 10/25/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/936,930

Applicant(s)

HIRAMATSU ET AL.

Examiner

Victor S. Chang

Art Unit

1771

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 August 2005 and 16 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2,3,8 and 22-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2,3,8 and 22-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

## **DETAILED ACTION**

### ***Introduction***

1. The Examiner has carefully considered Applicants' remarks filed on 9/16/2005. Additionally, in response to Applicants' remarks "the entry of the Amendment After Final Office Action dated August 18, 2005, constitutes the proper Submission with the RCE." (Remarks, page 2, top paragraph), the After Final Amendment dated 8/18/2005 has been entered, which has amended claims 2 and 3. Further, the Declarations submitted 8/18/2005 are also entered.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Rejections not maintained are withdrawn. In particular, the Declarations submitted 8/18/2005 clarifies the scope of the term 'solid', and the rejection under U.S.C. 35, 112, first paragraph in Office action dated 3/18/2005 is now withdrawn.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 2, 3, 8 and 22-28 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over JP 11-254656 (computer

Art Unit: 1771

translation), generally as set forth in section 5 of Office action dated 3/18/2005, together with the following additional reasoning and response to argument.

For the purpose of clarification, the Examiner repeats the relied upon prior art as follows: JP 11-254656 is directed to an adhesive sheet for screen printing plate cleaning, which consists of a base (substrate) layer 2 and a self-adhesive foam layer 3 (Drawing). The cleaning sheet is pasted to the screen printing plate to adhere and absorb the ink, so as to remove the ink from the printing plate (Abstract). Suitable adhesives include natural rubber, styrene butadiene rubber, polyisobutylene, styrene-isoprene-styrene block copolymer, acrylic resin (such as a copolymer of acrylic acid and C<sub>2</sub>-C<sub>10</sub> alkyl ester), styrene-acrylic ester copolymer, etc. (paragraph 0008). Further, JP '656 expressly teaches that the tackiness of the adhesive layer is 1-200 gf/25-mm (JIS-Z-0237).

For claims 2 and 3, the Examiner repeats that although JP '656 is silent about the solvent absorption rate from the ink and the composition of the ink solvent, JP '656 does expressly teach that the adhesive layer cleans the printing plate by adhering and adsorbing the ink, as set forth above. As such, since JP '656 teaches the same subject matter (an adhesive sheet), which comprises the same suitable adhesive polymers (e.g., styrene-butadiene-styrene copolymer, etc.), and for the same application (adhering to a screen printing plate and cleaning by adsorbing paint) as the instant invention, it is the Examiner's position that, in the absence of evidence to the contrary, a suitable ink solvent absorption rate is either anticipated by JP '656, or an obviously provided by practicing the invention of prior art. Additionally, it should be noted that

since the Declaration dated 8/18/2005 by Tsuyoshi Hiramatsu expressly states that the 'solid' adhesive layer "does not mean to exclude layers including fine foam" (Declaration, page 2, middle paragraph), it is the Examiner's position that the self-adhesive layer of JP '656 reads on the instant invention as claimed.

For claims 22 and 27, JP '656 expressly teaches that suitable adhesives include acrylic resin, such as a copolymer of acrylic acid and C<sub>2</sub>-C<sub>10</sub> alkyl ester and styrene, etc. (paragraph 0008).

For claims 23 and 28, while JP '656 is silent about the amount of crosslinking agent in the adhesive layer, it is noted that JP '656 does teach that crosslinking agent may be contained in the adhesive layer 3 (paragraph 0009). As such, since JP '656 teaches the same subject matter for the same application, as set forth above, in the absence of evidence to the contrary, it is the Examiner's position that a suitable amount of crosslinking agent is also either anticipated by JP '656, or an obviously provided by practicing the invention of prior art.

For claims 24 and 25, JP '656 expressly teaches that various additives such as plasticizer, antioxidant, etc., may be contained in the foamed adhesive layer (paragraph 0009).

For claim 26, JP '656 expressly teaches that the tackiness of the adhesive layer is 1-200 gf/25-mm. It should be noted that while the unit in claim 26 (cN/25-mm) is different from the unit of JP '656 (gf/25-mm), both results are obtained by the same JIS-Z-0237 testing method. As such, in the absence of evidence to the contrary, they are apparently equivalent unit.


For claim 28,

**Conclusion**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor S. Chang whose telephone number is 571-272-1474. The examiner can normally be reached on 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel H. Morris can be reached on 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Victor S Chang  
Examiner  
Art Unit 1771

10/20/2005